

FILED IN OPEN COURT
U.S.D.C. - Atlanta

MAR 27 2024

KEVIN P. WEIMER, Clerk
By: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

ALVIN MARVIN DEMAR

Criminal Information

No. 1:24-CR-094-ELR

THE UNITED STATES ATTORNEY CHARGES THAT:

Count One

On or about December 7, 2019, in the Northern District of Georgia, the defendant, ALVIN MARVIN DEMAR, knowing that he had been previously convicted of at least one of the following offenses punishable by imprisonment for a term exceeding one year:

- Possession of a Controlled Substance with Intent to Deliver in the District Court of Galveston County, Texas, on or about September 12, 1997;
- Aggravated Robbery in the District Court of Galveston County, Texas, on or about August 17, 2001;
- Possession of a Schedule I Controlled Substance in the 18th Judicial District Court for West Baton Rouge Parish, Louisiana, on or about September 8, 2016; and
- Possession of a Schedule II Controlled Substance in the 18th Judicial District Court for West Baton Rouge Parish, Louisiana, on or about September 8, 2016,

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is, a Glock, model 22, .40 S&W caliber semiautomatic pistol, all in violation of Title 18, United States Code, Section 922(g)(1).

Count Two

Beginning on a date unknown, but at least by on or about July 15, 2021, and continuing until on or about January 25, 2022, in the Northern District of Georgia and elsewhere, the defendant, ALVIN MARVIN DEMAR and others, did knowingly and willfully combine, conspire, confederate, agree, and have a tacit understanding with one another, to violate Title 18, United States Code, Section 922(a)(6), that is, to knowingly make a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44 of Title 18 of the United States Code, in connection with the acquisition of a firearm as to facts material to the lawfulness of the sale of a firearm.

Overt Acts

In furtherance of the conspiracy and to accomplish its objectives, the defendant, ALVIN MARVIN DEMAR, and others, committed, and caused to be committed, at least one of the following overt acts:

1. On or about July 15, 2021, Conspirator-1 ("CC-1") purchased two (2) Ruger, model 5.7, 5.7x28mm semiautomatic pistols and a Glock, model 23, .40 caliber semiautomatic pistol from Bullseye Sporting Goods, Inc., a federally licensed firearms dealer doing business as Bullseye Indoor Range & Gun Shop in Lawrenceville, Georgia ("Bullseye").

2. On or about August 9, 2021, CC-1 purchased a Ruger, model 5.7, 5.7x28mm semiautomatic pistol from Bullseye.
3. On or about August 15, 2021, CC-1 purchased a Ruger, model 5.7, 5.7x28mm semiautomatic pistol and a Glock, model 17, 9mm semiautomatic pistol from Bullseye.
4. On or about September 9, 2021, CC-1 purchased a Ruger, model 5.7, 5.7x28mm semiautomatic pistol from Bullseye.
5. On or about November 1, 2021, CC-1 purchased a Glock, model 23, .40 caliber semiautomatic pistol from Bullseye.
6. On or about January 25, 2022, DEMAR met CC-1 inside Bullseye and pointed out several firearms to CC-1 before departing the store.
7. On or about January 25, 2022, after DEMAR departed Bullseye, CC-1 purchased a Ruger, model 5.7, 5.7x28mm semiautomatic pistol and a Glock, model 29, 10mm semiautomatic pistol from Bullseye.
8. On or about January 25, 2022, CC-1 placed into the trunk of a Kia sedan occupied by DEMAR both of the pistols he had purchased from Bullseye moments earlier, and DEMAR drove away with the firearms.

All in violation of Title 18, United States Code, Section 371.

Count Three

On or about November 1, 2021, in the Northern District of Georgia, the defendant, ALVIN MARVIN DEMAR, and Conspirator-1 ("CC-1"), aided and abetted by each other, in connection with the acquisition of a firearm, that is a Glock, model 23, .40 caliber semiautomatic pistol, did knowingly make a false and fictitious

written statement to Bullseye Sporting Goods, Inc., a licensed dealer of firearms within the meaning of Chapter 44 of Title 18 of the United States Code, which statement was intended and likely to deceive Bullseye Sporting Goods, Inc. as to a fact material to the lawfulness of the sale of the aforementioned firearm, in that TH ~~defendant~~ CC-1 falsely represented that he was the actual buyer of the firearm, when, in fact, as he then and there well knew, he was not the actual buyer of the firearm, all in violation of Title 18, United States Code, Section 922(a)(6), and Section 2.

Count Four

On or about January 25, 2022, in the Northern District of Georgia, the defendant, ALVIN MARVIN DEMAR, knowing that he had been previously convicted of at least one of the following offenses punishable by imprisonment for a term exceeding one year:

- Possession of a Controlled Substance with Intent to Deliver in the District Court of Galveston County, Texas, on or about September 12, 1997;
- Aggravated Robbery in the District Court of Galveston County, Texas, on or about August 17, 2001;
- Possession of a Schedule I Controlled Substance in the 18th Judicial District Court for West Baton Rouge Parish, Louisiana, on or about September 8, 2016; and
- Possession of a Schedule II Controlled Substance in the 18th Judicial District Court for West Baton Rouge Parish, Louisiana, on or about September 8, 2016,

did knowingly possess, in and affecting interstate and foreign commerce, at least one of the following firearms, that is:

<u>Firearm</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Caliber</u>
One (1) semiautomatic pistol	Glock	29	10mm
One (1) semiautomatic pistol	Ruger	5.7	5.7x28mm

all in violation of Title 18, United States Code, Section 922(g)(1).

Count Five

On or about November 3, 2022, in the Northern District of Georgia, the defendant, ALVIN MARVIN DEMAR, did knowingly possess a firearm, that is, an INTERORD USAS-12 12 gauge destructive device, not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841 and 5861(d).

Forfeiture Provision

Upon conviction of one or more of the offenses alleged in this Information, the defendant, ALVIN MARVIN DEMAR, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in the commission of the offense(s).

Upon conviction of the offense alleged in Count Five of this Information, the defendant, ALVIN MARVIN DEMAR, shall forfeit to the United States, pursuant to Title 26, United States Code, Section 5872(a) and Title 28, United States Code, Section 2461, all firearms and ammunition involved in and used in the offense,

specifically one (1) INTERORD USAS-12 12 gauge destructive device bearing serial number A0001275.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:


- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States intends to seek forfeiture of any other property of the defendant up to the value of the forfeitable property, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c).

A _____ BILL

FOREPERSON

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